

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PUBLIC SERVICES - A.P.C.S. - Revenue Department - Disciplinary action initiated against Sri S. Raj Kumar former Special Deputy collector (LA) TLIS, Unit-I, Kovvur, West Godavari district (now retired) - Article of charges issued enquiry conducted - Enquiry Report communicated - Representation received - Disciplinary action finalized - Further action dropped - Orders - Issued.

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REVENUE (VIGILANCE-I) DEPARTMENT

G.O.Rt.No.1118

Dated:11-12-2014.

Read the following:-

1. From the Chief Commissioner of Land Administration, A.P., Hyderabad Lr.No.VS I(1)/2299/2009, Dt: 29-10-2009.
2. From the Chief Commissioner of Land Administration, A.P., Hyderabad Lr.No.VS I(1)/2299/2009, Dt: 12-5-2010.
3. G.O.Rt.No. 1344, Rev (Vig.III) Dept., Dt: 16-9-2010.
4. From Sri S. Raj Kumar, SDC (Rtd), written statement of defence, dt: 10-1-2011.
5. G.O.Rt.No.247, Rev(Vig.III)Dept., dt.24-2-2011.
6. From the Joint Collector and Enquiry Officer Eluru, West Godavari Lr.Roc.No.6573/VC/2009(A4), Dated: 1.08.2014.
7. Govt., Memo.No.48336/Vig.I(1)/09, Dt. 25.09.2014.
8. Explanation of Sri S. Raj Kumar, SDC (LA), TLIS, Unit-I, Kovvur (retd.), dated: 5.11.2014.

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In the reference 1st read above, the Chief Commissioner of Land Administration, A.P., Hyderabad has stated that Sri S. Raj Kumar earlier worked as L.A.O., T.L.I.S., Unit-I, Kovvur has paid excess compensation for an extent of Ac.7.99 cts, out of the notified extent of Ac.47.55 cts. in Yernagudem (v), Devarapalli (M), and payments were made to the land losers @ Rs.4.40 lakhs without placing the proposals before the D.L.N.C. He has finally requested to initiate disciplinary action against him. Accordingly, Article of charges were framed against Sri S. Raj Kumar, Special Deputy Collector (LA), TLIS, Unit-I, Kovvur (retd.) calling for his explanation vide G.O. 3rd read above.

2. The Charged Officer, Sri S. Raj Kumar, Special Deputy Collector (LA), TLIS, Unit-I, Kovvur (retd.) has submitted his explanation in the reference 4th read above. He has stated that all the charges framed against him are denied and requested to drop the charges against him.

3. The explanation submitted by the Charged Officer was examined and it was found not convincing, therefore, the Joint Collector, Eluru, West Godavari district was appointed as Inquiry Officer to conduct inquiry into the charges framed against Sri S. Raj Kumar, Special Deputy Collector (LA), TLIS, Unit-I, Kovvur (retd.) in the reference 5th read above. The Enquiry Officer has conducted inquiry and submitted his inquiry report vide reference 6th read above.

4. The Inquiry Officer has stated that the charges framed against Sri S. Raj Kumar, Special Deputy Collector (LA), TLIS, Unit-I, Kovvur (retd.) is held proved beyond reasonable doubt. The inquiry report was furnished the AO vide reference 7th read above, for his explanation on the findings of the Inquiry Officer.

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5. Sri S. Raj Kumar, Special Deputy Collector (LA), TLIS, Unit-I, Kovvur (retd.) has submitted his explanation in the reference 8th read above, stating that he has revised the P.V. of the land @ Rs.1,42,000 per acre which was approved by the Joint Collector, West Godavari District to Rs.2,94,000 per acre for an extent of Ac.7.99 cts. The land acquisition proceedings were initiated for an extent of Ac. 47.55 cts in Yernagudam Village of Devarapalli Mandal, West Godavari District for excavation of TLIS main canal and D.N. and D.D. were published and the P.V. was approved for Rs.1,42,000 per acre by the Joint Collector, and the DLNC fixed land value at Rs.2,80,000 per acre.

6. The land owners of Ac.7.99 cts, out of the total extent of Ac.47.55 cts notified, approached the A.P. High Court filed W.P.No. 3841/07 against the acquisition of Ac.7.99 cts halting the acquisition proceedings including dispossessing the petitioners and brought stay orders. In the mean while, the Requisition Department brought pressure on the Special Collector(L.A.) ISP, Rajahmundry, to handover the land of Ac.7.99 Cts covered by the stay as the excavation work for the main canal was held up in the land and the excavation was completed in the remaining land, as the then C.M. of A.P. proposed to release water from the main canal in a short while.

7. Since the above lands of Ac.7.99 Cts covered by stay of the High Court, even though counter were filed, there was no possibility of settling the case by the High Court in the near future. Further the above lands were a part of the total extent of Ac. 47.55 Cts notified for acquisition and for which compensation to be paid was fixed at Rs.2,80,000/- per acre by the DLNC and there was no possibility to pay higher compensation to the land owner of Ac.7.99 Cts and unless higher compensation is paid they may not part with their lands. To overcome the situation the Special Collector(L.A.) ISP, Rajahmundry, held a meeting with the land owner of the land of Ac.7.99 Cts promised them to pay higher value than Rs.2,80,000 provided they withdraw their W.P. pending in the High Court. The land owners agreed with the proposal of the Special Collector. Then, the Special Collector suggested him to issue a fresh D.N. and D.D. for the Ac.7.99 Cts duly delinking the lands from the already notified extent of Ac.47.55 Cts on the plea that there were errors in the earlier notification as to the ownership of the land in S.No. 308.

8. The Special Collector has issued orders vide Ref b2/431/2008 dt 2.5.2008 for propose errata to D.N. submitted by him and ordered for printing in the A.P. Gazette extraordinary issue ISP/217/2008 dt 2.5.2008 locally. Later P.V. proposals were submitted to the Special Collector proposing @ Rs.2,94,000 per acre in respect of the land measuring Ac.7.99 Cts covered by Rs No 308/2a4 and 308/2c2, as the lands are located near by the State Highway having commercial and residential utility and there lie a petrol bunk and a small building in the near by lands. The Special Collector conducted P.V. inspection on 30.5.2008 and approved the said land value proposal. The land value of Rs.2,94,000 per acre was enhanced by 50% of land value fixing the value at Rs.4,40,000 in DLNC using the power as Collector by the Special Collector. Accordingly the land compensation paid to the land owners in Ac.7.99 Cts of land. The A.O. has finally requested to exonerate him of the charge and drop further action in the matter.

9. Government have observed that land owners have brought stay orders and the requisition department brought pressure to handover the land covered by the stay order, for excavation of canals as the then Hon'ble C.M. proposed to release water from the main canal in a short while. Therefore, the circumstances such as did not permit following due procedure as there was urgency and the court case was carrying in the way of the project and no malafide intention has been found in the action of the AO.

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10. Government, after careful examination of the matter, have decided hereby order to drop further action against Sri S. Raj Kumar, Special Deputy Collector (LA), TLIS, Unit-I, Kovvur (now retired).

11. The Chief Commissioner of Land Administration, A.P., Hyderabad shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**J.C. SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri S. Raj Kumar, Special Deputy Collector (LA), TLIS, Unit-I, Kovvur (retd.)
(through the Chief Commissioner of Land Administration, A.P., Hyderabad)

The Chief Commissioner of Land Administration, A.P., Hyderabad.

The District Collector, West Godavari district.

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER